

Appendix 1 – Officers Recommended Amendments to Temporary activities Chapter

Note the below provisions represent the Section 42A Report Writing Officer's recommended amendments to the provisions of the Proposed District Plan, in response to submissions (with underline used for new text and ~~strikethrough~~ for deleted text).

Overview

Temporary activities have a limited duration and do not generate permanent adverse effects. These activities include, but are not limited to, public and community events that provide important social, cultural, economic and recreational opportunities, such as marathons, concerts and markets. Temporary buildings or structures may be necessary to support these activities, such as stages and tents, and temporary network utilities. In addition temporary buildings or structures may be needed for construction, demolition and temporary military training activities, required under the Defence Act 1990. There may also be a need for temporary network utilities to continue to provide services, or training activities for emergency services.

Temporary activities have the potential to generate adverse effects, in terms of noise and traffic, and they may restrict public access to public places. However, any inconvenience or nuisance that may arise from these temporary activities tends to be accepted by the community and adjoining neighbours because the activities and their effects are short-term in nature and in many instances benefit the wider community.

Temporary activities and buildings or structures permitted by the Plan must also comply with the Building Act, the Reserves Act, Health Act, and any relevant policies or bylaws. Approval may need to be sought from the Council or other agencies for other licenses to sell alcohol or food, for the erection of structures, signage, traffic management plans and road closures.

Objectives	
TA-O1	Temporary activities contribute to a vibrant district and enhance the social, economic, and cultural wellbeing of communities.
TA-O2	Temporary activities can take place while managing on-site and off-site adverse effects on: <ol style="list-style-type: none"> the purpose, character and amenity values of the zone, and the safety and efficiency of the transport network.
Policies	
TA-P1	Recognise that temporary activities can provide positive social, cultural and economic effects for people and the community.
TA-P2	Ensure that the actual and potential effects resulting from any temporary event, temporary military training, temporary emergency training and temporary network utility, including those associated with accessory buildings or structures, are appropriately managed by requiring that they: <ol style="list-style-type: none"> are for a limited duration only; do not result in permanent adverse effects on the environment; and do not adversely affect the safety and efficiency of the transport network.
TA-P3	Allow temporary motorsport activities, including any accessory buildings or structures, where they: <ol style="list-style-type: none"> are located in the Rural Production zone; are for a limited duration; do not adversely affect the safety of the transport network; and

	d. do not result in excessive adverse noise and dust effects.
TA-P4	<p>Manage temporary activities to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. the ability of surrounding properties to undertake activities provided for by the underlying zone or overlay; b. the size, scale and location of the activity and any buildings or structures; c. potential reverse sensitivity effects on adjacent zones and on existing infrastructure; d. the capacity of the site to cater for onsite infrastructure requirements; e. the duration of the event and hours of operation; f. the number of persons the event is for, including staffing; g. the ability of the supporting roading network to cater for increased traffic; h. any noise, lighting and dust adverse effects; i. whether there are any permanent effects created by the activity; j. the purpose, public benefit and necessity of the temporary network utility; k. the function and operational needs of, and the benefits derived from the temporary activity; l. any natural hazards; and m. any adverse effects on any historic heritage, cultural, or natural environment values, and rural or coastal character.
Rules	

Notes:

1. With the exception of the Transport chapter which exempts temporary activities, there may be rules in other Part 2 - District-wide matters that apply to a proposed activity, in addition to rules in this chapter. These other rules may be more stringent than rules in this chapter, e.g. historic heritage, sites and areas of significance to Māori, earthworks, light, noise, signs, activities in the coastal environment and Treaty settlement land overlay. Ensure that the other relevant Part 2 matters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. The rules in the Temporary activities chapter take precedence over any rules in Part 3 - Area specific matters (except designations).

TA-R1	Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)	
All zones except:	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, or PER-5: Discretionary
Natural Open Space zone	PER-1 The site is not used for more than two temporary activity events per calendar year, and <u>each¹ event does not exceed two consecutive days, excluding the Waitangi Estate where a maximum of five events are allowed on the Treaty Grounds per calendar year²</u>	
General Residential zone	PER-2	
Settlement zone		

¹ S463.086

² S503.050

Rural Residential zone	<p>The activity occurs between 6.30am to 10.00pm on each day, <u>excluding a week either side of Waitangi Day</u>³.</p> <p>PER-3 A maximum of 500 persons on the site, <u>excluding event staff</u>⁴ each day and <u>excludes the Waitangi Day event held at the Waitangi Treaty Grounds.</u></p> <p>PER-4 Any accessory building or structure is removed within seven days of the <u>temporary</u> activity finishing.</p> <p>PER-5 The <u>temporary</u> activity complies with standard: TA-S1 Road controlling authority approval.</p>	
TA-R2 Temporary military training activity and emergency services training activity		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any accessory building or structure is removed within seven days of the activity finishing.</p> <p>PER-2 The duration of the activity does not exceed a collective total of 31 calendar days per year on any site <u>except for Temporary Military activities for the purpose of set up and pack down.</u>⁵</p>	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
TA-R3 Temporary buildings or structures ancillary to a construction project		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The temporary building or structure is located on the same <u>or an adjacent</u>⁶ site as the associated construction work or demolition.</p> <p>PER-2 The maximum combined GFA of any temporary buildings or structure does not exceed 30m² where the site is located within or adjoins the General Residential zone.</p>	Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary

³ Ibid⁴ S463.086⁵ S217.008⁶ S416.036

	<p>PER-3 The temporary building or structure is removed from the site upon completion of the associated construction works, or within 12 months from the date it was located on the site, whichever is the lesser.</p> <p>PER-4 The temporary building or structure must comply with the maximum height, height in relation to boundary, setback and coverage rule standards of the zone where the activity is located.</p>	
TA-R4	Demolition of a building or structure	
All zones	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
TA-R5	Aircraft and helicopter movements (landing and take-off)	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The movement is for emergency services (including civil defence), <u>and</u> military or conservation⁷ activities.</p>	Activity status where compliance not achieved with PER-1: Discretionary unless there is a rule in a zone permitting this activity
TA-R6	Temporary network utilities	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The network utility operates for a maximum of 12 months.</p> <p>PER-2 It is setback at least 2m from a General Residential or Settlement zone site boundary.</p>	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
TA-R7	Temporary motorsport activity	
Rural Production zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The activity does not last for more than two days in duration.</p>	Activity status where compliance not achieved with RDIS-1, RDIS-2, RDIS-3, RDIS-4 or RDIS-5: Discretionary

⁷ S182.024 and S143.010

	<p>RDIS-2 The site is not used for more than two activity events per calendar year and the events are not within a one week period of each other.</p> <p>RDIS-3 The hours of operation are limited to 7am to 7pm.</p> <p>RDIS-4 Any building or structure associated with the activity is not erected more than two days prior to the event commencing and is removed within two days of the activity finishing.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. scale and duration; 2. traffic safety; 3. dust and sediment control; 4. ground stability; 5. noise; 6. location and scale of any associated buildings or structures; and 7. any earthworks and associated stormwater changes. 	
TA-R8	Activities not otherwise listed in this chapter	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
TA-R9	Temporary motorsport activity	
All zones except: Rural Production zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
TA-RXX	Temporary agricultural aviation activity	
All Zones -	<p>Activity status: Permitted</p> <p>Where:</p> <p><u>PER-1</u></p> <p><u>A maximum of up to 30 days in any 12-month period or 315 aircraft hours (whichever is greater).⁸</u></p>	Activity status where compliance not achieved with PER-1; Discretionary
Standards		
TA-S1	Roading controlling authority approval	

⁸ S182.022

All zones	<p>Prior to the temporary activity occurring written approval has been obtained from the relevant road control authority. In addition, the temporary activity must be undertaken in accordance with the approved traffic management plan, which also addresses parking needs.</p> <p>Note: The road controlling authority is Waka Kotahi NZ Transport Agency if the activity is accessed from a State Highway, and the Council if accessed from any other roads. Even if accessed off a Council road it may be determined that there is also an impact on the State Highway.</p>	Activity status where compliance not achieved: Not applicable
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